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COMMITTEE ON THE RIGHTS OF THE CHILD

Eighth session

SUMMARY RECORD OF THE 203rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 23 January 1995, at 3 p.m.

Chairperson: Mrs. BADRAN

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The meeting was called to order at 3.15 p.m.

GENERAL DISCUSSION ON "THE GIRL CHILD" (agenda item 7) (continued)

1. The CHAIRPERSON invited members of the Committee and the representatives of specialized agencies and non-governmental organizations to resume the general discussion on the topic of "The girl child".

2. Mr. BELSEY (World Health Organization) said that WHO saw the Convention on the Rights of the Child as a major instrument to promote the health and development of children and families. The 1994 International Conference on Population and Development had underlined the importance of women in development, and of issues of reproductive health. Those issues started virtually at conception, for the discrimination suffered by girls began in utero, when parents' strong preference for a boy led to selective abortion of female foetuses and to female infanticide. Furthermore, although the female of the species was biologically stronger than the male, data on mortality, morbidity and nutrition for girl children suggested that in many settings their social disadvantages far outweighed their biological advantages. There was also evidence that undernourished, undersized young girls who became pregnant before they were biologically or socially mature harmed the potential of the next generation.

3. Generally speaking, on a weight-for-weight basis boys and girls required the same nutrients, except at puberty, when girls needed 20 to 30 per cent more iron than did boys. Yet social custom often hindered girl children's access to family food resources. Furthermore, many societies were vegetarian through circumstance rather than choice, and the lack of animal sources of protein in their diet decreased girls' ability to replenish levels of iron lost during menstruation. As a girl was able to conceive two years before her pelvis was fully developed, a pregnant child aged 13 or 14 ran a greatly increased risk of experiencing obstructed labour and other complications. In some countries, girls physiologically incapable of giving birth who were in purdah and were thus denied access to health care had a 1 in 20 chance of dying.

4. A position paper he had submitted to the Committee secretariat contained data on ratios of mortality by sex for infants, toddlers and children, and on sex preference for children. Unfortunately, those data were already 15 years old and all efforts to update them had been thwarted by discrepancies in research methodologies and by the failure of existing health systems to collect such data routinely.

5. Traditional practices of genital mutilation probably affected about 114 million women, or 2 million young girls and infants annually. In 15 to 20 per cent of cases, the practice resulted in almost complete closure of the reproductive organs, severely hampering menstruation. Few hard epidemiological data were available on the associated complications, but it was estimated that the practice doubled the risk of maternal mortality, and that there was a fourfold increase in the risk to the baby.

6. Those were just some highlights of the health issues concerning girls set out in the position paper submitted to the Committee secretariat by WHO.

Unfortunately, it was extremely difficult to ascertain whether those trends were continuing, since the data gathered, at both national and international levels, were still not properly disaggregated by sex, despite the fact that the issue had now been under discussion for some 10 years. It was thus essential for State parties to the Convention, and Governments generally, to develop their information systems so as to be able to provide disaggregated data on child mortality, child morbidity, and use of health services for children.

7. Ms. TIMBERLAKE (World Health Organization) said that the WHO Global Programme on AIDS considered the work of the Committee vital to the process of addressing the impact of the epidemic on children, and particularly girls, in terms both of girls' greater vulnerability to infection and of the devastating impact the disease had on their lives. The virus was increasingly affecting women and girls disproportionately: in many countries, the ratio of young women to young men infected was two to one. As many as 5 to 10 million of the 40 million people expected to be infected by the year 2000 would be children. As to the impact of the disease, over 2.5 million children had already been orphaned because one or both parents had died of AIDS and by the year 2000 there would be over 5 million orphans under the age of 10, 90 per cent of them in Africa.

8. The fact that the highest rates of HIV infection were now occurring among women and girls stemmed in large part from their continuing social, economic and sexual subordination and from the discrimination they encountered in regard to status, education, health care and employment. Young girls were both biologically and socially more vulnerable to infection than older women. Where tradition or law allowed physically immature girls to marry or have sexual relations, vulnerability was greater. Given their subordinate status, girls were unable to negotiate safe sex, refuse sex or end a relationship with an infected partner, for fear of violence or abandonment without support. Rape, coerced sex, sexual abuse, trafficking, forced prostitution and harmful traditional practices such as female sexual mutilation increased their vulnerability to infection. For social, cultural or political reasons, HIV/AIDS prevention education and information were often not disseminated publicly, were not included in school curricula or in educational programmes for children outside of school, and were not made available in health care settings. When disseminated in those settings, they were often denied to girls. Girls had little or no access to HIV/AIDS-related services useful in preventing infection, such as condoms and services to treat sexually transmitted diseases.

9. Again, precisely because of their subordinate status girls might have to leave school or work in order to care for infected family members, even when infected and sick themselves. They were refused medical treatment for HIV/AIDS and, if orphaned or abandoned because they were infected or suspected of being infected, were often rejected by orphanages or the wider family circle and left to fend for themselves on the streets.

10. If girls were to avoid infection, their right to education, information and health care must be respected and implemented, and they must be protected from sexual abuse, sexual violence and economic exploitation. Girls infected or suspected of infection must be protected from discrimination. Although

there was a growing awareness of a girl's particular vulnerability to infection, and of the impact the disease had on her, much more needed to be done at the national level. Most States had national AIDS programmes, but the programmes often failed to address the needs and rights of girl children.

11. The WHO Global Programme on AIDS called upon the Committee to consider recommending that States parties should increase public awareness of the risk of HIV infection for girl children; give special attention to the rights and needs of girls and to factors making them especially vulnerable to infection; ensure the active participation of women in care and prevention programmes; and include in their reports information on the situation of girls with regard to HIV/AIDS. With over 6,000 infections occurring each day, many among girls, time was of the essence.

12. Mr. KOLOSOV said it was essential to recognize that there was a huge loss to humankind whenever its female potential was not fully utilized. Measures must be taken to make people mindful of that fact. Furthermore, mothers themselves were often partly to blame for the inequalities in societies: it was mothers themselves who sometimes set a bad example by preferring to give birth to boys, by giving priority to males in allocating the family's food, and by assigning household chores to girls. It was thus important to inculcate an awareness among mothers of the importance of equality between the sexes.

13. The CHAIRPERSON said that Mr. Kolosov's remarks highlighted the importance of moving from consideration of the psychological and emotional variables that perpetuated low self-esteem among women to consideration of policy variables and legislative measures to be taken.

14. Mr. PICARD (International Labour Organisation) said he wished to touch on two aspects of the issue of work and young girls: first, work by girls below the age of 15; and second, the question of access by young girls to the world of work. The statements already made by representatives of other agencies showed the need for genuinely concerted action on the part of the relevant international organizations, both among themselves and in cooperation with NGOs, which performed a catalytic role in that regard.

15. Any attempt to assess the situation of girls with regard to work had to contend with the problem of the lack of reliable quantitative and qualitative data. In 1992 and 1993, ILO had conducted a study on child labour, focusing on the question of the division of child labour between boys and girls. Of 213 countries contacted, only 91 had responded by submitting data that were statistically usable. The study was thus a partial one, covering about 78.5 million working children under the age of 15. It had yielded five principal findings.

16. First, 99 per cent of such children were to be found in the least developed countries. Second, 60 per cent of working children were boys and 40 per cent girls, a ratio that was no cause for celebration, for it did not reflect, for instance, a greater participation by girls in education. On the contrary, it merely mirrored the pattern of work by adult women, with young girls and adult women seldom working outside the home. The pattern could perpetuate itself indefinitely if nothing was done to change it. Furthermore,

work done by girls was often not taken into account in preparing statistics, being regarded as help around the home, rather than as a "real" job in the legal or economic sense. Figures for work done by girls were thus under-estimates.

17. A third finding of the study had been that three-quarters of employed boys and four-fifths of employed girls worked in subsistence agriculture and related activities. Girls were thus used in unremunerated work more often than boys. A fourth, related finding had been that more girls than boys were engaged in unremunerated family activities, including domestic chores. Lastly, the study had revealed that the lower the age of access to work, the higher the number of girls who worked. Those findings clearly revealed that the discrimination to which women were subjected in the world of work took its toll from a very early age.

18. What were the solutions? One solution ILO had been advocating for the past 30 years was to promote equality of treatment and opportunity between the sexes in employment, and it worked closely at national level with Governments, employers' and workers' organizations and NGOs to achieve that goal. Even more important, however, was the need to link those promotion programmes with upstream programmes, particularly with regard to promoting access to education for girls. Access by girls to employment depended on skills they could not acquire without access to basic education. Other upstream programmes included those designed to establish vocational training systems to prepare women for specialized work. While such programmes were currently of marginal significance, they had an important role to play in encouraging women to break the mould by searching for other, non-traditional, fields of employment. Lastly, ILO believed that the concept of "equity", to which reference had been made at the previous meeting, was a dangerous one. A more reliable concept was that of equality, and, first and foremost, equality before the law. Without equality before the law, it would be extremely difficult to promote equality of opportunity and treatment in employment.

19. Ms. MOURAVIEFF-APOSTOL (International Federation of Social Workers) said that the general thematic discussion provided an opportunity to achieve something in the way of gender equity, a topic which needed constant airing in order to educate the world's societies. At a 1992 NGO conference on the topic "Education for all girls - a human right and a social gain" the Minister of Education and Culture of Zimbabwe had stressed that education was never culture-neutral and that it was impossible to impose alien education on a country. Education must be specifically related to the local cultural situation. The best method was to involve the whole community from the outset so as to make people aware of how much they were losing by not educating girls.

20. Not all religious traditions were relevant to modern society and they need not be regarded as sacred. At the same 1992 conference, Princess Haya of Jordan had stressed that there was nothing in Islamic law which denied equality for girls. Inequality was imposed by Governments and religious leaders. Even in the countries of the European Christian tradition the situation today might be different if some of the women associated with Christ had been recognized as apostles. The origins of male precedence lay in men's physical strength and daring, which were equated with social power. Such a

situation must now be regarded as primitive. Everyone, especially women in positions of influence, must work together to change it. She commended the United Nations and some of its agencies for the work they were doing in that respect. Education was the key. For example, UNESCO had established an innovative education programme near Dakar in which boys and girls were equally involved. Such programmes should be copied because they did much to change people's thinking.

21. Mr. ABRAMSON (Human rights consultant) said it was evident from the discussion that much was known about the problems. However, there was less talk about the solutions, probably because they often involved political issues. To secure political change, the strategies needed to be effective as well as right. In particular, the active hostility often aroused by issues of gender discrimination must be taken into account in order to avoid political backlash. The strategies must never increase resistance to improving the lot of women and girls and they must also be compatible with human rights considerations, for example the best interests principle embodied in the Convention.

22. It was important for everyone involved in the discussion to be clear about the meaning of the terms used and about what message, if any, was being received by the outside world. The term "girl child", for example, conveyed two ideas: first, that a girl was a "pre-woman", but girls were not just women-in-waiting; and second, the idea of girls as victims, which was not necessarily helpful. The term "girl child" was not used in the Convention, and "boy child" was rarely heard.

23. There were four basic strategic problems: how to argue against the victimization of children without reducing them to victims; how to relate girlhood to womanhood without reducing girls to women-in-waiting; how to advocate specific changes while retaining the holistic approach of the Convention; and how to advocate the interests of children without rendering their adolescence invisible. Perhaps the biggest challenge of implementation of the Convention was to have a clear vision of children in their adolescence and to communicate clearly with young people and with the public. Hence the terms used must be clear. All advertisers knew the importance of the presentation of the message. The task of human rights advocates was harder because they were often selling something people did not want: fundamental change in society.

24. Ms. STADIUS (Inter-African Committee on Traditional Practices) said that Mr. Kolosov did have some justification for blaming mothers for the continuing discrimination against girls in the family. However, the assertion made by the representative of the Organization of African Unity at the Dakar regional NGO preparatory meeting for the Beijing Conference to the effect that women were to blame for female circumcision had aroused considerable angry debate. No doubt Mr. Kolosov and many people from Western countries supported that assertion. She would like to know what Mrs. Belembaogo, who was from Burkina Faso, thought about it.

25. Mrs. BELEMBAOGO said that Mr. Kolosov was right to some extent, but it all really depended on one's point of view. Burkina Faso was fighting against the practice of female circumcision. In so doing it was important to avoid

conflict with the law and traditional practices. Female circumcision must be seen in its traditional cultural context and not just in the context of the modern world. The practice was related to the status of the girl: circumcision was followed by cultural ceremonies marking her transition to adulthood and the age of marriage. However, in many cases only the practice itself persisted, while its cultural basis had disappeared.

26. Burkina Faso was trying to secure the support of traditional cultural leaders to bring about an awareness of the harm that circumcision did to women. Information and education work was being done with people, mainly old and illiterate women, who still adhered to the tradition. Such people did not regard themselves as responsible for causing harm because they did not think that the practice was wrong. The health consequences for women must therefore be explained to them in terms they understood: the risk involved in the use of unsterile instruments, for example. An attempt was also being made to convey to them the concept of the dignity of women. Unlike some other countries, Burkina Faso had rejected the approach of providing facilities for female circumcision to be practised in hygienic conditions.

27. The CHAIRPERSON said that the practice of female circumcision must certainly be abolished, but it was not the biggest problem affecting girls and women. With increased economic and social development, the practice would probably disappear of its own accord. It must be remembered that in some cultures female circumcision was thought to kill sexual desire. It therefore enabled a woman to deny a partner sexual intercourse, something that operated as a form of social power. Female circumcision was still practised in some parts of her own country, Egypt, but usually only among illiterate and poor women. The best solution clearly lay in education.

28. Ms. LASSONDE (United Nations Population Fund) said that two main points had emerged from the discussion. First, there was the contradiction between seeing girls and women as the victims and as the guilty parties, which led to emotional over-investment on all sides in a debate often dominated by sterile confrontation. Second, there was a need for the United Nations to develop a much more rigorous methodology. As Mr. Abramson had argued, too many of the terms used in the debate were meaningless and masked the possibility of making real progress. The World Conference on Human Rights had indulged in that kind of debate; it would have produced a much greater awareness of the problems if, for example, the meaning of human rights themselves had been clearly defined. Vague and inflated rhetoric resulted in ineffective tools and programmes.

29. Mrs. SANTOS PAIS said that many requests had been made by United Nations bodies, agencies and mechanisms for data on gender. Unfortunately, the information was still not forthcoming. The lack of data on the family was critical; many family-related problems, including sexual abuse and child prostitution, were swept under the carpet. What, however, were the criteria for collecting such data and how would it be used once collected? Effective methodologies would have to be developed if the exercise was to prove useful. The challenge of the Fourth World Conference on Women, in Beijing, was twofold: to apply a human rights approach to women's issues and to put the results of that undertaking into practice. The Committee unquestionably had a vital role to play in that process: any efforts to alter tradition must commence with children. Mothers must be responsible in bringing up their

children, for teenage pregnancy robbed girls of their chance to grow up spiritually and intellectually. Indeed, the task of the mother was to prepare her daughter for active participation in society.

30. Mr. HAMMARBERG said that he agreed with UNFPA that it was essential to be discriminating in the use of language. It should be remembered that significant advances had been made by linguists who had studied gender bias in language. In his view, it was not useful to try and lay the blame on one sex or the other for practices deep-rooted in tradition. Nor was it necessarily useful to attempt to gauge the relative importance of social problems. Efforts should simply be made to understand and address them as they arose. One State party had recently revealed that in some parts of the country people held to a traditional belief that sexual intercourse with a virgin cured venereal disease and that mothers often condoned the practice. Not only must morbid customs of that kind be brought to light, but Governments must do their utmost to combat them.

31. The CHAIRPERSON said that traditional customs must be considered in their cultural context; if harmful practices were to be eliminated, positive alternative practices had to be found to replace them.

32. Mrs. BLOEM (World Federation of Methodist Women) said that the programme for action currently being drafted for the Beijing Conference included nine areas of concern. Could the Committee provide guidance on whether the issue of the girl child should be treated as a separate area of concern or integrated into the nine areas formulated?

The meeting was suspended at 4.45 p.m. and resumed at 5.15 p.m.

33. The CHAIRPERSON said that, during the recess, Mrs. Belembaogo had compiled a provisional list of recommendations that had emerged in the course of the discussion.

34. Mrs. BELEMBAOGO said that she had sorted the recommendations into three areas: those for Governments, those for international organizations and those for the Committee. Governments were requested, in the political arena, to affirm their willingness to elaborate policies, strategies and national plans which would set out concrete goals and priorities concerning the rights of children and women; to provide support to local NGOs and women's associations so as to ensure coordinated action; to submit reports on follow-up and implementation of the Committee's recommendations within the set time-limits; to include in those reports all relevant statistical data on gender-based inequality and discrimination; to encourage the participation of all social sectors, including men and community and religious leaders, in the advancement of the rights of the child. Governments were also asked, in the legislative arena, to proceed to universal ratification of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women; to consider withdrawing any reservations inconsistent with the fundamental principles of the Convention on the Rights of the Child; and to adopt national laws which would ensure respect for the principle of equality between the sexes and lay down sanctions for violations of those laws as well as establish mechanisms for implementation.

35. With regard to information and education about the implementation of the Convention on the Rights of the Child, Governments were also requested to undertake to change the image of women in the media, advertising, textbooks, and so forth, by fostering images that would work to combat inequality and sexual stereotypes; to promote beneficial practices and to combat those that impaired the health and development of girls; to promote parental education in both the formal and informal sectors; to incorporate information about children's rights in school curricula and teacher-training programmes; to alert families to the role they should play in supporting the rights of the girl as a human being, not merely as sister or potential wife or mother; and to guarantee equal opportunities for girls with a view to their equal participation in society.

36. As to evaluating the implementation of the Convention, Governments were asked to set up systems for the collection of reliable gender-related statistics and to conduct research into various aspects of the lives of girls. Furthermore, international organizations were requested to undertake cooperative measures related to their areas of competence.

37. Lastly, the Committee should take an active part in the work of the Beijing World Conference on Women; join in the follow-up and implementation of the Programme of Action formulated at that Conference; ask Governments to include in their reports gender-specific data on all forms of discrimination; promote its advisory role with the support of NGOs and United Nations agencies; and strengthen its cooperation with the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW).

38. Mr. BENNETT (United Nations Educational, Scientific and Cultural Organization) said that it might also prove useful to ask States parties to look closely at the relevance of school curricula as far as girls were concerned. Many educational institutions were still very academic in focus and their courses had little bearing on present-day life. School curricula should include, for example, such issues as the relationship between girls and boys, the importance of having and raising children, home management, and health and nutrition.

39. Mrs. SARDENBERG suggested that consideration might also be given to vulnerable groups within the overall girl population, such as refugee, rural and indigenous girls, or girls living on the street. In addition, Governments might be encouraged in formulating and implementing programmes for girls to make use of both the Nairobi Forward-looking Strategies for the Advancement of Women and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, of the World Summit for Children. In addition, the Committee might consider ways of introducing its concerns into the programmes of the Decade for Human Rights Education. Mention should also be made of the particular health needs of girls. For example, doctors, paediatricians and hospital support staff should receive special training in that regard.

40. Mrs. SANTOS PAIS noted that the essential achievement of the day's discussion was the recognition by all participants that the concerns of girls were inextricably related to those of women. It was further acknowledged that the Committee had a critical role to play at the Beijing Conference and that

the recommendations formulated at the present meeting should be incorporated into the draft programme of action. In fact, too little attention had been paid to girls in that document. While it was too late to prepare a separate chapter on girls that would take up all of the issues raised in the course of the discussion, they should and must be reflected in the individual chapters. In addition, the Committee's responsibility in monitoring the implementation of the programme of action would be second only to that of CEDAW. The relationship between the work of CRC and CEDAW could not be overestimated, and the question of the girl child must not be neglected in any programme of action concerning women.

41. Again, poverty had been frequently cited in connection with education, labour and health services. Accordingly, efforts should be made to involve the Bretton Woods institutions in implementing the programme of action. Governments should also be encouraged to undertake legislative measures that would reflect the principle of equality before the law; prohibit discrimination on all grounds, especially gender; ban harmful traditional practices; raise the minimum legal age for marriage, which should be the same for boys and girls; and raise the age of criminal responsibility. Lastly, the need for research and analysis was enormous. Without data, it would prove impossible to shape policy capable of making girls less overlooked and thus less vulnerable.

42. Mrs. BLOEM (World Federation of Methodist Women) suggested that, since religion also helped to shape the lives of girls, religious institutions might be requested to cultivate a positive image of women and girls.

43. Mr. KOLOSOV pointed out that the Committee might consider drafting general comments at its next session on issues concerning girls.

44. Ms. STADIUS (Inter-African Committee on Traditional Practices) said that, in her view, efforts should be undertaken to incorporate the issues of the girl child into the broader platform of sustainable development.

45. The CHAIRPERSON expressed her gratitude to all participants for their contributions to the discussion, which in her view would surely prove invaluable in elaborating the programme of action for the Beijing Conference.

The meeting rose at 5.40 p.m.